

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

DANNY FOSTER, SR.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:22cv609-MHT
)	(WO)
KAY IVEY, in her)	
individual and official)	
capacity as Governor of)	
Alabama, et al.,)	
)	
Defendants.)	

OPINION

Pursuant to 42 U.S.C. § 1983, plaintiff, a state prisoner, filed this lawsuit complaining of a violation of his rights under the Eighth and Fourteenth Amendments and seeking prospective relief. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that plaintiff's case be dismissed without prejudice for failure to comply with a court order to either pay a filing fee or submit an application to proceed in forma pauperis. There are no objections to the recommendation. After

an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 23rd day of January, 2023.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE